showed that it consisted essentially of phenolic and camphoraceous substances including camphor, eucalyptol, and menthol, and small proportions of benzoic acid, water, and an oil-soluble dye.

The Chicken Medicine was alleged to be misbranded in that the following statements: "Chicken Medicine * * * Separate worst cases. Clean up. After chickens have gone to roost, spray this remedy on their heads for three nights with a small household fly spray," borne on the label, were false and misleading in that they represented that the article would be an effective treatment for sick chickens, whereas it would not. One shipment of the Chicken Medicine was alleged to be misbranded further in that the statements "For Swine Colds Make six small holes in cap of bottle and sprinkle on bedding * * * This remedy has been used by thousands of farmers for twelve years," borne on the label, were false and misleading in that they represented that the article would be efficacious as a treatment of swine colds, whereas it would not be efficacious for such purpose.

One shipment of the Chicken Medicine was alleged to be misbranded further in that it was in package form and the statement of the quantity of the contents which is required by the act to appear on the label was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

The Swine Medicine was alleged to be misbranded in that the statements "Swine Medicine * * * Clean up. Turn the cap of this bottle over on a board and make six holes with the point of a shingle nail. Replace on bottle and sprinkle on or under bedding. Keep hogs warm and quiet. Keep warm and quiet. Do not disturb if very sick * * * This remedy has been used by thousands of farmers for twelve years," borne on the label, were false and misleading since they represented that the article would be an effective treatment for sick swine, whereas, it would not be effective for such purpose.

On September 22, 1942, the defendant entered a plea of guilty and the court imposed a fine of $150 and costs.

841. Misbranding of Beebe V-V Vim and Vigor. U. S. v. Beebe Laboratories, Inc. Plea of guilty. Fine, $100. (F. D. C. No. 7715. Sample No. 76750–E.)

On September 28, 1942, the United States attorney for the District of Minnesota filed an information against the Beebe Laboratories, Inc., St. Paul, Minn., alleging shipment on or about January 19, 1942, from the State of Minnesota into the State of Wisconsin, of a quantity of Beebe V-V Vim and Vigor, which was misbranded.

Analysis of a sample of the article showed that it consisted of plant material containing essentially, kamala, areco nuts, nux vomica, fenugreek, tobacco, oil of anise, and oil chenopodium.

It was alleged to be misbranded in that the statements, "V-V Vim & Vigor * * * As a Tonic * * * A Flock Treatment for Chickens and Turkeys," borne on the label was false and misleading in that they represented and suggested that the article would be efficacious to promate vim and vigor in poultry, would be efficacious as a tonic for poultry, and would be an efficacious flock treatment for diseases of chickens and turkeys, whereas it would not be efficacious for such purposes.

On September 29, 1942, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of $100.

842. Misbranding of I-O-Tab (Iotein Tablets). U. S. v. Frank Y. Chuck (Dr. F. Y. Chuck Research Laboratories). Plea of not guilty. Jury trial. Jury unable to reach verdict and discharged. Plea of not guilty withdrawn and plea of nolo contendere entered. Fine, $100. (F. D. C. No. 2895. Sample No. 13373–E.)

On January 14, 1942, the United States attorney for the Northern District of California filed an information against Frank Y. Chuck, trading as Dr. F. Y. Chuck Research Laboratories, San Francisco, Calif., alleging shipment on or about February 29, 1940, from the State of California into the State of Oregon of a quantity of I-O-Tab (Iotein Tablets), which were misbranded.

Analysis of a sample of the article showed that the tablets contained 3.44 percent of nicotine and 0.85 percent of iodine, incorporated in a base of feed concentrate containing 24 percent of crude fat, reducing sugars, wheat starch, and tannic acid.

The article was alleged to be misbranded in that statements in the labeling which represented that it would be efficacious in the treatment of fowl suffering

from coccidiosis, blackhead, and cecum worms (Heterakis gallina); that it would be efficacious in the treatment of pullets, hens, and turkeys that had gone "backward" or "light" due to chronic coccidiosis, blackhead, or cecum worms; that it would have a destructive action on the parasites causing coccidiosis and blackhead and on cecum worms and that it would be efficacious in the treatment of very severe cases of acute and chronic types of coccidiosis, were false and misleading since it would not be efficacious for such purposes.

On May 13, 1941, the defendant having entered a plea of not guilty, the case came on for trial before a jury. The trial was concluded on May 20 and the case was submitted to the jury, which after deliberating announced that it was unable to reach a verdict. The jury was thereupon discharged. The defendant, on December 23, 1941, withdrew his plea of not guilty and entered a plea of nolo contendere, which plea was accepted by the court and a fine of $100 was imposed.

843. Misbranding of Coccidiosis Mash. U. S. v. J. Kendley Martin (Standard Milling Co.). Plea of nolo contendere. Fine, $100. (F. D. C. No. 6445. Sample No. 37913–E.)

On May 20, 1942, the United States attorney for the Northern District of Georgia filed an information against J. Kendley Martin, trading as Standard Milling Co., at Atlanta, Ga. alleging shipment on or about April 15, 1941, from the State of Georgia into the State of North Carolina of a quantity of Coccidiosis Mash which was misbranded.

Analysis of a sample of the article showed that it consisted principally of wheat bran, wheat starch, finely ground yellow corn, a milk sugar by-product, yeast, and corn gluten meal, with smaller amounts of alfalfa leaf meal, meat scraps, soya bean meal, and salt, very little, if any, linseed tissues, and dried buttermilk, and a trace of oat product and peanut hulls.

The article was alleged to be misbranded in that the statements in the labelling which represented and suggested that it would be efficacious in the cure, mitigation, treatment or prevention of coccidiosis, were false and misleading since it would not be efficacious for such purpose.

On September 21, 1942, the defendant entered a plea of nolo contendere and on October 2, 1942, the court imposed a fine of $100.

844. Misbranding of Bovosan. U. S. v. Robert Gisler. Plea of not guilty. Tried to the court. Judgment of guilty on charge of failure to declare active ingredients and not guilty on charges based upon therapeutic claims. (F. D. C. No. 6487. Sample No. 60023–E.)

On April 2, 1942, the United States attorney for the Northern District of California filed an information against Robert Gisler of San Francisco, Calif., alleging shipment on or about December 16, 1940, from the State of California into the State of Oregon of a quantity of Bovosan which was misbranded.

Analysis of a sample of the article showed that it consisted essentially of small porportions of sulfur, phenolic compounds, and soap, incorporated in a base of petrolatum.

It was alleged that the article was misbranded in that statements appearing in the labeling which represented and suggested that it would be efficacious in the treatment of vaginitis and related diseases and that it would be efficacious to prevent infection of a healthy cow by a diseased bull or of a healthy bull by a diseased cow, were false and misleading, since the article would not be efficacious for such purposes. It was alleged to be misbranded further in that it was not designated solely by a name recognized in an official compendium, and was fabricated from two or more ingredients and its label did not bear the common or usual name of each active ingredient.

On May 26, 1942, the defendant having entered a plea of not guilty, the case came on for trial before the court without a jury. The trial having been concluded on May 29, 1942, the court entered judgment that the defendant was guilty on the charge of failure to declare the active ingredients, but was not guilty on the remaining charges. The court reserved sentence and on October 19, 1942, imposed a fine of $10.

845. Misbranding of cleaning powder, Bovostick, Powder No. 1, and Powder No. 2. U. S. v. 26 cans of Cleaning Powder, et al. Default decree of condemnation and destruction. (F. D. C. No. 5615. Sample Nos. 23002–E to 23005–E, incl.)

On September 19, 1942, the United States attorney for the Northern District of California filed a libel against 26 cans containing a product known as "Clean-